



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB3328

Introduced 2/14/2014, by Sen. Ira I. Silverstein

#### SYNOPSIS AS INTRODUCED:

225 ILCS 732/1-137 new

Amends the Hydraulic Fracturing Regulatory Act. Provides that the Department of Natural Resources shall, immediately upon passage of this amendatory Act of the 98th General Assembly, suspend acceptance or approval of any and all new permits for high volume horizontal fracturing operations or horizontal drilling with fracturing operations in any and all of the geographic areas in the 9-county area situated over or located above the Mahomet aquifer in this State. Provides that the Department shall work with the Illinois State Geological Survey and the Mahomet Aquifer Consortium to determine exact map locations of all areas in this State that are situated over or located above the Mahomet aquifer. Creates the Mahomet Aquifer Task Force to investigate any and all adverse effects of high volume hydraulic fracturing operations or horizontal drilling with fracturing operations. Requires the Task Force to report to the General Assembly and the Governor on its findings.

LRB098 19587 MGM 54779 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Hydraulic Fracturing Regulatory Act is  
5 amended by adding Section 1-137 as follows:

6 (225 ILCS 732/1-137 new)

7 Sec. 1-137. Mahomet Aquifer Task Force.

8 (a) The Department shall, on the effective date of this  
9 amendatory Act of the 98th General Assembly, suspend acceptance  
10 or approval of any and all new permits for high volume  
11 horizontal fracturing operations or horizontal drilling with  
12 fracturing operations in any and all of the geographic areas in  
13 the 9-county area situated over or located above the Mahomet  
14 aquifer in this State.

15 (b) The Department shall work with the Illinois State  
16 Geological Survey and the Mahomet Aquifer Consortium to  
17 determine the exact map locations of all areas in this State  
18 that are situated over or located above the Mahomet aquifer.

19 (c) There is hereby created a Mahomet Aquifer Task Force.  
20 The Mahomet Aquifer Task Force shall consist of the following  
21 members:

22 (1) one member appointed by the Director of the  
23 Illinois State Water Survey;

1           (2) one member appointed by the Director of Natural  
2           Resources;

3           (3) one member appointed by the Director of the  
4           Groundwater Advisory Council established under the  
5           Illinois Groundwater Protection Act;

6           (4) one member appointed by the Director of the  
7           Illinois Environmental Protection Agency;

8           (5) one member appointed by the Illinois Groundwater  
9           Association;

10           (6) one member appointed by the East Central Illinois  
11           Regional Water Supply Planning Committee; and

12           (7) three members appointed by the Mahomet Aquifer  
13           Consortium.

14           The chairperson of the Mahomet Aquifer Task Force shall be  
15           the member appointed by the Illinois State Water Survey.

16           (d) The Task Force shall:

17           (1) meet once a month, either in person or through  
18           video conferencing or other technology via the Internet;

19           (2) operate without pay, but with all expenses paid for  
20           the functioning of the Task Force to be allocated by the  
21           Illinois State Water Survey;

22           (3) provide a fully researched report, based on a  
23           review of published literature on effects of high volume  
24           horizontal fracturing operations or horizontal drilling  
25           with fracturing operations on other aquifers as described  
26           in subsection (f) of this Section; and

1           (4) fully investigate any and all adverse effects of  
2           high volume hydraulic fracturing operations or horizontal  
3           drilling with fracturing operations with regard to:

4                   (A) oil and natural gas wells, Class II injection  
5                   wells, industry infrastructure and pipelines, and the  
6                   potential risks to the Mahomet aquifer;

7                   (B) the environmental and public health effects on  
8                   the Mahomet aquifer of spillage, leakage, fires, or  
9                   blowouts of oil and natural gas, its containment,  
10                  processing infrastructure, and transportation  
11                  infrastructure;

12                  (C) the environmental and public health effects on  
13                  the Mahomet aquifer of spillage or leakage from open  
14                  fracturing waste pits;

15                  (D) the environmental damage and public health  
16                  effects on the Mahomet aquifer of spillage, leakage,  
17                  fires, or blowouts of hydraulic fracturing or  
18                  fracturing fluids, chemicals, proppants, and  
19                  byproducts, its containment, processing  
20                  infrastructure, and transportation infrastructure; and

21                  (E) the environmental damage and effects to water  
22                  availability when drilling operators take water from  
23                  the aquifer during a drought and during dry periods, as  
24                  well as the overall removal of water on a continuous  
25                  basis from the aquifer.

26           (e) The Mahomet Aquifer Task Force shall write a report to

1 be submitted to the General Assembly, the Governor, the  
2 Hydraulic Fracturing Task Force, the Illinois Emergency  
3 Management Agency, the Department of Natural Resources, the  
4 Groundwater Advisory Council established under the Illinois  
5 Groundwater Protection Act, the Illinois Environment  
6 Protection Agency, the Illinois Groundwater Association, the  
7 East Central Illinois Regional Water Supply Planning  
8 Committee, the Mahomet Aquifer Consortium, the Department of  
9 Public Health, and to the public via the website of the  
10 Illinois State Water Survey and the website of the Department  
11 of Natural Resources, outlining its findings on the effects of  
12 high volume hydraulic fracturing operations or horizontal  
13 drilling with fracturing operations on the water resources  
14 drawn from and supplied by the Mahomet Aquifer, which shall  
15 include recommendations and conclusions about:

16 (1) the risks of drilling and extracting oil and  
17 natural gas in aquifer region;

18 (2) the risks of drilling and operating Class II  
19 injection wells in the aquifer region;

20 (3) the use of fracturing waste or wastewater open pits  
21 in the aquifer region;

22 (4) the risks of spillage and leakage resulting in  
23 water contamination from oil and natural gas wells in the  
24 aquifer region;

25 (5) bonding requirements for oil and natural gas  
26 operations and infrastructure in the aquifer region;

1           (6) insurance requirements for oil and natural gas  
2           operations and infrastructure in aquifer region;

3           (7) best practices for the oil and natural gas industry  
4           in the aquifer region; and

5           (8) any and all recommendations related to maintaining  
6           the viability of the aquifer and the ability of the aquifer  
7           to supply a safe water supply as related to the oil and  
8           natural gas industry and their operations.

9           (f) The report shall include recommendations to the General  
10          Assembly and the Governor for legislation to protect the  
11          Mahomet aquifer from any adverse effects of blowouts, spillage,  
12          leakage, and damages associated with oil and natural gas wells,  
13          drilling, Class II injection wells, waste and wastewater  
14          containment, pipelines, infrastructure, chemicals, proppants,  
15          and byproducts.

16          (g) The Mahomet Aquifer Task Force shall submit its report  
17          on or before January 1, 2016. The Mahomet Aquifer Task Force  
18          will be disbanded on July 1, 2016.